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Torrance, California  
August 11, 1953

MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

The City Council of the City of Torrance convened in a Regular Meeting in the Council Chamber of the City Hall on Tuesday, August 11, 1953, at 8:00 p.m., Mayor Schwab presiding.

Those responding to roll call by City Clerk Bartlett were:  
COUNCILMEN: Benstead, Drale, Spelman and Schwab. ABSENT: COUNCIL-  
MEN: Blount. Also present were City Manager Stevens and City Pros-  
ecutor Boris S. Woolley.

Councilman Benstead led the salute to our Flag.

Rev. Stanton of the Central Evangelical United Brethren Church opened the meeting with an invocation.

As first order of business Councilman Spelman moved to approve the minutes of the Regular Meeting of July 28, 1953, and the minutes of a Special Meeting of August 5, 1953, as written. Motion, seconded by Councilman Benstead, carried unanimously by those present.

Mayor Schwab announced this is the time and place for the final hearing on the 1953-1954 Budget. There were no oral protests.

City Clerk Bartlett said he had a communication from City Manager Stevens which stated that from the preliminary figures released by the County Assessor's Office and the State Board of Equalization, it appears the assessed valuation for 1953-54 will be approximately \$67,700,000, which is an increase of \$1,700,000 over that used in preparing the estimated Budget.

At their last meeting, held August 4, 1953, the Taxation and Budget Commission unanimously approved the Proposed Budget and tax rates, with the provision that the additional funds to be obtained, by reason of the increase in valuation, be placed in the Unallocated Reserve Fund to be applied to the purchase of a new bus for the Torrance Municipal Bus Lines.

Councilman Drale moved that the following recommendation be considered for the Budget next year: That the Water Department be treated as a private utility and the City would pay back the one or two per cent of the fees that would have to be collected, or some method be set up so the Water Department would be paying into the General Fund of the City of Torrance. Motion, seconded by Councilman Spelman, carried unanimously by those present.

Councilman Drale moved the new estimated Budget be adopted for the fiscal year 1953-1954. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote of those present.

Councilman Spelman moved the hearing be closed. Motion, seconded by Councilman Drale, carried unanimously by those present.

Mayor Schwab announced this is the time and the place for the hearing on Tracts No. 19305 and 19306, located in that unsubdivided portion of Hollywood Riviera situated westerly and southerly of Via Monte d'Oro, southeasterly of Calle Mayor and easterly of the Palos Verdes Boulevard, containing 350 lots and presented by Don-Ja-Ran Construction Company.

Mr. Franklin W. Peck said he was appearing on behalf of Mr. Louis B. Mayer, owner, and the Don-Ja-Ran Construction Company, Inc., subdivider, in association with Mr. Donald Armstrong.

Mr. Peck made a brief statement of what has taken place in the past with reference to the two proposed maps which were submitted by the subdivider, the second of which was a compromise based upon discussions which took place between the engineers for the subdivider, City Planning Consultant Mr. Lloyd, City Engineer, City Manager, and one or two of the members of the committee appointed by the Planning Commission. "As a result of these discussions and conferences a compromise map was worked out. This map is now on file and is presently before you gentlemen."

"On July 1, 1953, Mr. Patrick, as Assistant City Engineer, wrote a letter addressed to the City Planning Commission, which has already been received in evidence at the Hearing before the Planning Commission, wherein he stated, 'This office would like to recommend the approval of this tract from an engineering standpoint.' The recommendation of Mr. Patrick relates to the second proposed map which we desire filed and recorded."

Councilman Blount arrived at 8:25 p.m.

On July 15, 1953, the Planning Commission, by a 7 to 2 vote, recommended denial of Tract Maps Nos. 19305 and 19306. Mr. Peck said at that time he pointed out that under the Map Act of the State of California and under City Ordinance, which is cast in identically the same language for the most part, the Planning Commission, at their Hearing, should confine its inquiry to an engineering consideration of the two things specifically mentioned in the Act and in our City Ordinance, namely design and improvement. Design relating to the method in which the streets are laid out and improvement relating to sewers, drainage, utilities, and matters of that sort. "I pointed out at that time that the Planning Commission in reviewing the proposed map should not concern itself with matters of devaluation nor should it concern itself with aesthetic considerations, which were the reasons Mr. diMayle and

his committee thought the map should be rejected. At that time I suggested that if the Planning Commission didn't share my views as to the scope of the inquiry that the matter be referred to the City Attorney of the City of Torrance and have him inform them as a matter of law what the scope of the inquiry should be."

Mr. Peck said they produced Mr. Gerkin, engineer for Don-Ja-Ran Construction Company, "The man who had all the negotiations with your City government, your City Engineer and City Manager, and by reference to the proposed second map we had Mr. Gerkin testify, as he will again tonight, as to what the map sought to accomplish and he contrasted it with the once contemplated subdivision map of the same area which was never recorded. The only showing made at the Planning Commission Hearing by an expert was the testimony given by Mr. Gerkin."

Mr. Peck said they were here tonight proceeding in strict conformity with the Map Act of the State of California and with the City Ordinance; they were not asking any special favors, merely that they be fully and fairly heard. He called as their first witness Mr. Gerkin, in support of the applicant.

Mr. Armstrong questioned Mr. E. L. Gerkin who stated he was Office Engineer for the Engineering Service Corporation, which corporation does all types of civil engineering and primarily engineered subdivisions. He identified tentative Tract Maps 19305 and 19306, which Mr. Armstrong requested be made a part of the proceedings at this Hearing and that it be marked Proponents Exhibit No. 1.

Mr. Armstrong referred to a letter under date of July 1, 1953, signed by Mr. John R. Patrick, Assistant to City Engineer, regarding Tracts Nos. 19305 and 19306, and requested the copy of this letter be made a part of the proceedings at this Hearing and that it be marked Proponents Exhibit No. 2.

Mr. Armstrong said in 1929 the entire Hollywood Riviera area was subdivided and subdivision maps were prepared, some of them were recorded and some of them were not. He requested this map be marked as Proponents Exhibit No. 3. Mr. Armstrong said this 1929 map of a proposed subdivision is the map which the people in Hollywood Riviera contend should be adopted rather than the one they are proposing.

Mr. Gerkin testified that in his opinion, from an engineering standpoint, the tentative maps on Tracts Nos. 19305 and 19306 were sound and that the original tentative Tract Maps for Tracts 19305 and 19306 were unsound from an engineering standpoint.

Mr. Armstrong requested the grade map of the typical sections for the original layout of tentative Tracts Nos. 19305 and 19306 be marked Proponents Exhibit No. 4 and made a part of the Record of this Hearing.

At 9:15 p.m. Mayor Schwab declared a five-minute recess. The Hearing reconvened at 9:20 p.m.

Mr. Peck questioned the next witness, Mr. Caldwell, Cheviot Hills, Los Angeles, a Planning Consultant for 33 or 34 years.

Mr. Caldwell testified as to the difficulties, from a planning point of view, regarding streets, erosion, drainage, sewers, and traffic and safety that would be encountered using the original subdivision map (Proponents Exhibit No. 3), which was never recorded, and testified in his opinion, from a planning point of view, Proponents Exhibit No. 1, tentative Tract Map of Tracts No. 19305 and 19306, was a very acceptable map.

Mr. Peck offered in evidence a copy of soil report from the Donald R. Warren Company, Los Angeles entitled: "Preliminary Soils Investigation Portion of Lot 4, Tract No. 8875, Torrance, California." Mr. Peck represented this report to the Council as

a true and correct copy and offered it as Proponents Exhibit No. 5.

Mr. Peck questioned the next witness, T. A. Jordan, President of the Engineering Service Corporation, who testified that from an engineering point of view, the original tentative Tract Maps of Tracts No. 19305 and 19306 were not practical or feasible.

Mr. Jordan testified that in his opinion Proponents Exhibit No. 1, tentative Tract Maps 19305 and 19306, was a feasible and practical subdivision map, from an engineering point of view, and was the best that could be designed.

Mr. Peck said this was the extent of the showing they proposed to make at this time in support of the application for the recording and approval of this map.

Mayor Schwab asked if anyone opposing this map wished to speak.

Mr. C. W. Key, Hollywood Riviera, said he has resided in that area since 1939 and since that time he has seen it develop into one of the most outstanding residential developments in the South Bay area. Mr. Keys said he was a member of the Art Jury of Hollywood Riviera and Vice-Chairman of the Hollywood Riviera Community Association Board of Directors. He said they have met with representatives of Don-Ja-Ran in an effort to arrive at some kind of an amicable solution; they attempted to achieve compromises which they were unable to obtain. Mr. Keys said it was their sincere belief that the development of Tracts Nos. 19305 and 19306 with contour street lines as originally planned, or with slight modifications thereof, would be in the best interest of everyone concerned. He said additional studies of this plan will reveal the benefits that will accrue to the subdividers as well as to the City and to the community.

Mr. Keys said in support of their position that the area could be developed along contour streets they submitted engineering studies that were made by the original engineering firm which developed Hollywood Riviera, namely the Rose and Evans Engineering Company, these maps were submitted in evidence to the Planning Commission, which gave complete engineering details. Mr. Keys explained some of the engineering details by reference to maps.

Mr. W. A. Garabrandt, President of the Hollywood Riviera Homeowners' Association, said he did not consider the tentative maps of Tract Nos. 19305 and 19306 a proper map or complete enough to even submit to the Planning Commission, let alone submit to the Council. Mr. Garabrandt referred to the City Engineer's letter, "In the first place, we have an ordinance which governs most of the problems concerned. In regard to excessive grades on contour streets, the Subdivision Ordinance on file requires that 10% be the maximum grade. The engineer has okehed a map where it shows 7½% and 12% plus and now we find there is one on file showing a 15½ foot grade. I don't know what authority the City Engineer has to go that far to create a hazard of that kind."

Mr. William A. Mason said Hollywood Riveria with its contour streets was in an issue of Life Magazine and listed as one of the outstanding developments in the United States. Mr. Mason said the map presented by the Don-Ja-Ran Company does not conform to the City ordinance regarding grades.

Mr. Frank Morris, Building Contractor in the Hollywood Riviera section, said, "If they build the homes they contemplate building, they will have great difficulty selling them; they are in the wrong location. If these homes are built there, it will greatly depreciate the value of the homes which have already been built in Hollywood Riviera."

Mr. Ralph Hennings said the proponents have claimed they have attempted to make concessions "to meet what we felt we need in our area; he did not believe they have gone too far on that and felt their attempts might have gone along other lines so the whole area might be in uniform and to avoid the 30-foot grades they are talking about."

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Mr. W. L. Geyser, Hollywood Riviera, an engineer, said the proponents stated, "Consider the engineering plan. Do not handle the aesthetic value." Mr. Geyser said every professional engineering society today is urging the engineering schools to extend their curriculum another year in order that the young engineers can better appreciate the aesthetic values. He said he could not help but respect the experience of the engineering consultants who testified for the proponents but believed they were leaving their planning to one thing, "sterile engineering thought." He said that is not what they want.

Mr. Raymond Hemphill, Hollywood Riviera, said he was engaged in the real estate and subdivision business. He said the proponents seemed to stress the importance that these streets had to run in a perpendicular manner in order to satisfy the restrictions of the V.A. and the F.H.A. He said he did not think that entirely true and asked that they check Federal Land Planning Bulletin No. 3. "They stress that streets should follow the contour to an extent and follow the hill to an extent, so it is wrong to assume by running up and down the hill they are going to receive more favor from the V.A. or F.H.A. in their financial program on this tract."

Mr. Peck said he was in sympathy with these people who seem to be laboring under the impression that this project is going to be some sort of a terrible eye-sore. "This is not the case; the subdivider in this particular instance intends to spend millions of dollars in putting in this project. We are confined to the specific provisions of the Map Act and of the City Ordinance and as, in the case before the Planning Commission, I respectfully urge you gentlemen to consult your City Attorney and determine for yourselves the limits and the scope of this inquiry. You will find in the matter of submitting a map there are two matters to be considered - design and improvement.

"With reference to one point made in regard to the grade, the Subdivision Standards of the City provide, and I am reading from Subdivision Standards, paragraph 3 of Section I: 'The grade of any street of more than local traffic needs shall not exceed eight (8) per cent. No local street grade shall exceed ten (10) per cent, unless approved by City Engineer.'

"I wish to stress, gentlemen, your City Engineer has approved the street grades on this proposed map, which takes the matter outside the realm of any further controversy.

"I wish to say in conclusion that, in all respects to the gentlemen that have addressed you, not one single qualified expert has been produced to put an issue to the statements of Mr. Gerkin, the statements of Mr. Caldwell, or the statements of Mr. Jordan. We have had the benefit of no engineering expert who has even attempted to refute the showing we have made, which stands wholly uncontroverted."

Mr. Peck thanked the Council, on behalf of his client, for the courtesy they have been shown and the time they had been given.

Mr. Joe Weiss, Hollywood Riviera, said the people in Hollywood Riviera have already invested over thirty million dollars and would be very unhappy to have this proposed Don-Ja-Ran tract developed - as they propose to develop it.

At 10:40 p.m. Mayor Schwab declared a recess. The meeting reconvened at 10:50 p.m.

Councilman Drale moved the Hearing be closed. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Councilman Blount moved that the City Council find that the proposed tentative Tract Maps Nos. 19305 and 19306 do not conform with the City Subdivision Ordinance No. 437 and Resolution No. 1935. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote.

*See minutes of 8/25/53*

At 11:00 p.m. Councilman Spelman moved the Council Meeting adjourn to August 12, 1953, at 8:00 p.m. Motion, seconded by Councilman Benstead, carried unanimously.

  
CITY CLERK OF THE CITY OF TORRANCE

APPROVED:

  
MAYOR OF THE CITY OF TORRANCE

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